

REMARKS

In the present application, applicant appealed from the Examiner's rejections in the Final Office Action, pending oral hearing of the appeal. However, the Examiner, *sua sponte*, reopened the prosecution of the application, and allowed claims 1-12, 54-61, 65, 81-88, 92-97, and 101-110.

In allowing claims 54 and 81, the Examiner stated that the "closest prior art" is U.S. Patent No. 6,161,071 issued December 12, 2000 to Shuman et al. Page 5 of the Office Action. However, the Examiner improperly cited *Shuman* as prior art since the filing date of the present application, August 1, 1997, precedes the filing date of *Shuman*, March 12, 1999. As such, it is respectfully requested that the *Shuman* citation and the related reasoning for allowance of the claims be stricken from the record. For the Examiner's convenience, a marked-up copy of the Notice of References Cited (part of Paper No. 23), with deletion of the *Shuman* reference in red, is enclosed.

Claims 62-63, 89-90, 98-100 and 111-113 stand rejected under 35 U.S.C. 102(e) as being allegedly anticipated by *Katou*. In any event, these claims have been canceled. Applicant reserves all rights to re-prosecute the canceled claims in the future. Since

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the remaining claims 1-12, 54-61, 65, 81-88, 92-97, and 101-110 are allowable as mentioned before, it is respectfully requested that the application be promptly passed to issue.

Respectfully submitted,



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Enclosure

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